

R710. Public Safety, Fire Marshal.

R710-5. Automatic Fire Sprinkler System Inspecting and Testing.

R710-5-1. Adoption, Title, Purpose, and Prohibitions.

Pursuant to Section 53-7-204, Utah Code Annotated 1953, the Utah Fire Prevention Board adopts minimum rules to provide regulation to those who inspect and test Automatic Fire Sprinkler Systems.

There is adopted as part of these rules the following codes which are incorporated by reference:

1.1 National Fire Protection Association (NFPA), Standard 11A, Standard for Medium and High Expansion Foam, 1999 edition, except as amended by provisions listed in R710-5-6, et seq.

1.2 National Fire Protection Association (NFPA), Standard 13, Standard for the Installation of Sprinkler Systems, 2002 edition, except as amended by provisions listed in R710-5-6, et seq.

1.3 National Fire Protection Association (NFPA), Standard 13R, Standard for the Installation of Sprinkler Systems Residential Occupancies up to and Including Four Stories in Height, 2002 edition, except as amended by provisions listed in R710-5-6, et seq.

1.4 National Fire Protection Association (NFPA), Standard 14, Standard for the Installation of Standpipe, Private Hydrant, and Hose Systems, 2000 edition, except as amended by provisions listed in R710-5-6, et seq.

1.5 National Fire Protection Association (NFPA), Standard 15, Standard for Water Spray Fixed Systems for Fire Protection, 2001 edition, except as amended by provisions listed in R710-5-6, et seq.

1.6 National Fire Protection Association (NFPA), Standard 16, Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems, 2003 edition, except as amended by provisions listed in R710-5-6, et seq.

1.7 National Fire Protection Association (NFPA), Standard 20, Standard for the Installation of Stationary Pumps for Fire Protection, 1999 edition, except as amended by provisions listed in R710-5-6, et seq.

1.8 National Fire Protection Association (NFPA), Standard 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2002 edition, except as amended by provisions listed in R710-5-6, et seq.

1.9 National Fire Protection Association (NFPA), Standard 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2002 edition, except as amended by provisions listed in R710-5-6, et seq.

1.10 National Fire Protection Association (NFPA), Standard 72, National Fire Alarm Code, 2002 edition, except as amended by provisions listed in R710-5-6, et seq.

1.11 A copy of the above-mentioned standard is on file in the Office of Administrative Rules and the State Fire Marshal's Office.

R710-5-2. Definitions.

2.1 "Annual" means a period of one year or 365 calendar days.

2.2 "Authority Having Jurisdiction (AHJ)" means the State Fire Marshal, his duly authorized deputies, or the local fire enforcement authority.

2.3 "Board" means Utah Fire Prevention Board.

2.4 "Certificates of Registration" means a written document issued by the SFM to any person for the purpose of granting permission to such person to perform any act or acts for which authorization is required.

2.5 "Fire Pumps" means single or multistage horizontal or vertical shaft design powered by either electric or diesel.

2.6 "NFPA" means National Fire Protection Association.

2.7 "SFM" means State Fire Marshal or authorized deputy.

2.8 "Special Hazard Systems" means Preaction Sprinkler System, Deluge Sprinkler System, Combined Dry Pipe-Preaction Sprinkler System, Foam-Water Sprinkler System, and Water Spray Fixed System.

2.9 "Standpipes" means wet, dry or combination standpipes, private hydrants, and hose systems.

2.10 "UCA" means Utah State Code Annotated 1953 as amended.

2.11 "Wet and Dry Systems" means Wet Pipe Sprinkler System, Dry Pipe Sprinkler System, and Antifreeze Sprinkler System.

R710-5-3. Certificates of Registration.

3.1 Required Certificates of Registration.

No person shall engage in the inspecting and testing of automatic fire sprinkler systems without first receiving a certificate of registration issued by the SFM. The following groups are exempted from the requirements of this part:

3.1.1 The AHJ that is performing the initial installation acceptance testing of the automatic fire sprinkler system or ongoing inspections to verify compliance with the adopted NFPA standards and these rules.

3.1.2 The building owner or designee that performs additional periodic inspections beyond the annual inspection required in Section 6.2 of these rules, to satisfy requirements set by company policy, insurance, or risk management. The person performing these additional inspections shall have developed competence through training and experience.

3.2 Application.

3.2.1 Application for a certificate of registration to inspect and test automatic fire sprinkler systems shall be made in writing to the SFM on forms provided the SFM. The applicant shall sign the application.

3.2.2 The application for a certificate of registration shall be accompanied with proof of public liability insurance from the certificate holder or employing concern. A public liability insurance carrier showing coverage of at least \$100,000 for each incident, and \$300,000 in total coverage shall issue the public liability insurance. The certificate of registration holder shall notify the SFM within 30 days after the public liability insurance coverage required

is not longer in effect for any reason.

3.3 Examination.

The SFM shall require all applicants for a certificate of registration to take and pass a written examination to determine the applicant's knowledge to inspect and test automatic fire sprinkler systems. The SFM or his deputies may request picture identification of the applicant for a certificate of registration.

3.4 Types of Initial Examinations:

3.4.1 Wet and Dry Systems

3.4.2 Special Hazard Systems

3.4.3 Standpipes

3.4.4 Fire Pumps

3.5 Initial Examinations

3.5.1 The initial examinations shall include an open book written test of the applicant's knowledge of the work to be performed by the applicant. The examinations may be taken from the adopted NFPA standards, the statute, and the administrative rules.

3.5.2 To successfully complete the written initial examination the applicant must obtain a minimum of seventy percent (70%) in each examination given. Each examination will be graded separately.

3.5.3 As required in 3.3 and 3.4, those applicants that have successfully completed the requirements of NICET II or NICET III, as written by the National Institute for Certification in Engineering Technologies, and that corresponds to the work to be performed by the applicant, shall have the requirement for initial examination waived, after appropriate documentation is provided to the SFM by the applicant.

3.6 Issuance.

Following receipt of the properly completed application, compliance with the provisions of these rules, and the successful completion of the required examination or NICET certification, the SFM shall issue a certificate of registration.

3.7 Original and Renewal Valid Date.

Original certificates of registration shall be valid for one year from the date of application. Thereafter, each certificate of registration shall be renewed annually and renewals shall be valid for one year from issuance.

3.8 Renewal Date.

Application for renewal shall be made as directed by the SFM.

3.9 Re-examination.

Every holder of a valid certificate of registration shall take a re-examination every three years, from date of original certificate, to comply with the provisions of Section 3.3 of these rules as follows:

3.9.1 The re-examination to comply with the provisions of Section 3.3 of these rules shall consist of an open book examination for each level of certification, to be mailed to the certificate holder at least 60 days before the renewal date.

3.9.2 The re-examination will consist of questions that focus on changes in the last three years to the adopted NFPA standards, the statute, and the adopted administrative rules. The re-examination may also consist of questions that focus on practices of concern as noted by the Board or the SFM.

3.9.3 The certificate holder is responsible to complete the re-examination and return it to the SFM in sufficient time to renew.

3.9.4 The certificate holder is responsible to return to the SFM the correct renewal fees to complete that certificate renewal.

3.10 Refusal to Renew.

The SFM may refuse to renew any certificate of registration in the same manner and for any reason that he is authorized, pursuant to Section 7, to deny an original certificate of registration. The applicant shall, upon such refusal, have the same rights as are granted by Section 7 of these rules to an applicant for an original certificate of registration, which has been denied by the SFM.

3.11 Inspection.

The holder of a certificate of registration shall submit such certificate for inspection, upon request of the AHJ.

3.12 Type.

Every certificate of registration shall indicate the type of act or acts to be performed and for which the applicant has qualified as follows:

3.12.1 Class A: A person who is engaged in the inspection and testing of wet pipe, dry pipe, antifreeze, preaction, deluge, combined dry pipe-preaction, foam water, and water spray fire sprinkler systems. The person is also engaged in the inspection and testing of standpipes and fire pumps.

3.12.2 Class B: A person who is engaged in the inspection and testing of wet pipe, dry pipe, and antifreeze fire sprinkler systems.

3.12.3 Class C: A person who is engaged in the inspection and testing of preaction, deluge, combined dry pipe-preaction, foam-water, and water spray fire sprinkler systems.

3.12.4 Class D: A person who is engaged in the inspection and testing of standpipes.

3.12.5 Class E: A person who is engaged in the inspection and testing of fire pumps.

3.13 Change of Address.

Any change in home address of any holder of a valid certificate of registration shall be reported in writing, by the registered person to the SFM within 30 days of such change.

3.14 Duplicate.

A duplicate certificate of registration may be issued by the SFM to replace any previously issued certificate, which has been lost or destroyed.

3.15 Minimum Age.

No certificate of registration shall be issued to any person who is under 18 years of age.

3.16 Restrictive Use.

3.16.1 A certificate of registration may be used for identification purposes only as

long as such certificate remains valid.

3.16.2 Regardless of the acts authorized to be performed by a licensed concern, only those acts for which the applicant for a certificate of registration has qualified shall be permissible by such applicant.

3.17 Right to Contest.

3.17.1 Every person who takes an examination for a certificate of registration shall have the right to contest the validity of individual questions of such examination.

3.17.2 Every contention as to the validity of individual questions of an examination shall be made within 48 hours after taking said examination.

3.17.3 The decision as to the action to be taken on the submitted contention shall be made by the SFM, and such decision shall be final.

3.17.4 The decision made by the SFM, and the action taken, shall be reflected in all future examinations, but shall not affect the grades established in any past examination.

3.18 Non-Transferable.

Certificates of Registration shall not be transferable. The person to whom issued shall carry individual certificates of registration.

3.19 Certificate of Registration Identification.

Every certificate shall be identified by a number, delineated as AFS-(number). Such number shall not be transferred from one person to another.

R710-5-4. Service Tags.

4.1 Size and Color.

4.1.1 Tags shall be not more than five and one-half inches (5-1/2") in height, nor less than four and one-half inches (4-1/2") in height, and not more than three inches (3") in width, nor less than two and one-half inches (2-1/2") in width.

4.1.2 Tags shall be produced in three colors as follows:

4.1.2.1 Green to indicate the system meets the adopted NFPA standards and the requirements of these rules.

4.1.2.2 Yellow to indicate that only part of the system has been inspected and the inspected part meets the adopted NFPA standards and the requirements of these rules.

4.1.2.3 Red to indicate the system fails to fully comply with the adopted NFPA standards and the requirements of these rules. After placing the red tag on the system, the certified person shall notify the AHJ and provide the AHJ with a written copy of the noted deficiencies.

4.2 Placement of Tag.

The service tag shall be attached at the sprinkler riser for each system inspected or at other locations as needed to show compliance. The service tag shall be attached to the riser in such a position as to be conveniently inspected by the AHJ.

4.3 Tag Information.

4.3.1 Service tags shall bear the following information:

4.3.1.1 Provisions of Section 4.7.

4.3.1.2 Approved Seal of Registration of the SFM.

4.3.1.3 Certificate of registration "AFS" number of individual who performed or supervised the service or services performed.

4.3.1.4 Signature of individual whose certificate of registration number appears on the tag.

4.3.1.5 Concern's name.

4.3.1.6 Concern's address.

4.3.1.7 Type of service performed.

4.3.1.8 Type of system serviced.

4.3.1.9 Date service is performed.

4.3.2 The above information shall appear on one side of the service tag. All other desired printing or information shall be placed on the reverse side of the tag.

4.4 Legibility.

4.4.1 The certificate of registration number required in Section 4.3.1.3, and the signature required in Section 4.3.1.4, shall be printed or written distinctly.

4.4.2 All information pertaining to date and type of service shall be indicated on the card by perforations in the appropriate space provided. Each perforation shall clearly indicate the desired information.

4.5 Format.

ILLUSTRATION ON FILE IN STATE FIRE MARSHAL'S OFFICE

4.6 New Tag.

A new service tag shall be attached to a system each time a service is performed.

4.7 Tag Wording.

The following wording shall be placed at the top or reinforced ring end of every tag: "DO NOT REMOVE, BY ORDER OF THE STATE FIRE MARSHAL".

4.8 Removal.

No person or persons shall remove a service tag except when further service is performed. No person shall deface, modify, or alter any service tag that is required to be attached to the system.

R710-5-5. Seal of Registration.

5.1 Description.

The official seal of registration of the SFM shall consist of the following:

5.1.1 The image of the State of Utah shall be in the center with an outer ring stating, "Utah State Fire Marshal".

5.1.1.1 The top portion of the outer ring shall have the wording "Utah State".

5.1.1.2 The bottom portion of the outer ring shall have the wording "Fire Marshal".

5.1.2 Appending below the bottom portion and in a centered position, shall be a box provided for the displaying of the certification number assigned to the person.

5.2 Use of Seal.

No person shall produce, reproduce, or use this seal in any manner or for any purpose except as herein provided.

5.3 Permissive Use.

Certificate holders or concerns shall use the Seal of Registration on every service tag.

5.4 Cease Use Order.

No person or concern shall continue the use of the Seal of Registration in any manner or for any purpose after receipt of a notice in writing from the SFM to that effect, or upon the suspension or revocation of the certificate of registration.

5.5 Legibility.

Every reproduction of the Seal of Registration and every letter and number placed thereon, shall be of sufficient size to render such seal, letter, and number distinct and clearly legible.

R710-5-6. Amendments and Additions.

6.1 Service.

At the time of service, all servicing shall be done in accordance with the adopted NFPA standards, adopted statutes, and these rules.

6.2 Frequency

Automatic fire sprinkler systems, standpipes, and fire pumps shall be inspected annually by a person holding a certificate of registration as required in Section 3.1 of these rules.

R710-5-7. Adjudicative Proceedings.

7.1 All adjudicative proceedings performed by the agency shall proceed informally as authorized by UCA, Sections 63-46b-4 and 63-46b-5.

7.2 The issuance, renewal, or continued validity of a certificate of registration may be denied, suspended, or revoked, if the SFM finds that the applicant or the person commits any of the following violations:

7.2.1 The person or applicant is not the real person in interest.

7.2.2 Material misrepresentation or false statement in the application.

7.2.3 Refusal to allow inspection by the SFM, or his duly authorized deputies.

7.2.4 The person or applicant for a certificate of registration does not have the proper equipment to conduct the operations for which application is made.

7.2.5 The person or applicant for a certificate of registration does not possess the qualifications of skill or competence to conduct the operations for which application is made, as evidenced by failure to pass the examination pursuant to Section 3.3 of these rules.

7.2.6 The person or applicant refuses to take the examination required by Section 3.3 of these rules.

7.2.7 The person fails to pay the certification of registration, examination or other required fees as required in Section 8 of these rules.

7.2.8 The person or applicant has been convicted of any of the following:

7.2.8.1 a violation of the provisions of these rules;

7.2.8.2 a crime of violence or theft; or

7.2.8.3 a crime that would indicate that the person or applicant would create a danger to public safety by performing their functions and duties.

7.2.9 The certified person does not maintain adequate equipment or knowledge to conduct operations as required in the adopted NFPA standards, statute, and rules.

7.2.10 The person or applicant is involved in conduct which could be considered criminal, although such conduct did not result in the filing of criminal charges against the person, but where the evidence shows that the criminal act did occur, that the person committed the act, and that the burden by a preponderance of evidence could be established.

7.3 A person whose certificate of registration is suspended or revoked by the SFM shall have an opportunity for a hearing before the Board if requested by that person within 20 days after receiving notice.

7.4 All adjudicative proceedings, other than criminal prosecution, taken by the SFM to enforce the Utah Fire Prevention and Safety Act, and these rules, shall commence in accordance with UCA, Section 63-46b-3.

7.5 The Board shall act as the hearing authority, and shall convene after timely notice to all parties involved. The Board shall be the final authority on the suspension or revocation of a certificate of registration.

7.6 The Board shall direct the SFM to issue a signed order to the parties involved giving the decision of the Board within a reasonable time of the hearing pursuant to UCA, Section 63-46b-5(i).

7.7 Reconsideration of the Board decision may be requested in writing within 20 days of the date of the decision pursuant to UCA, Section 63-46b-13.

7.8 After a period of three years from the date of revocation, the Board shall review the submitted written application of a person whose certificate of registration has been revoked. After timely notice to all parties involved, the Board shall convene to review the revoked persons application, and that person shall be allowed to present themselves and their case before the Board. After the hearing, the Board shall direct the SFM to allow the person to complete the certification process or shall direct that the revocation be continued.

7.9 Judicial review of all final Board actions resulting from informal adjudicative proceedings shall be conducted pursuant to UCA, Section 63-46b-15.

R710-1-8. Fees.

8.1 Fee Schedule.

8.1.1 Certificates of Registration (new and renewals):

8.1.1.1 Certificate of registration \$30.00

8.1.1.2 Duplicate 30.00

8.1.2 Examinations:

8.1.2.1 Initial examination 20.00

8.1.2.2 Re-examination 15.00

8.1.2.3 Three-year examination 20.00

8.2 Payment of Fees.

The required fee shall accompany the application for certificate of registration.
Certificate of registration fees will be refunded if the application is denied.

8.3 Late Renewal Fees.

8.3.1 Any certificate of registration not renewed on or before the original date of issuance will be subject to an additional fee equal to 10% of the required fee.

8.3.2 When a certificate of registration has expired for more than one year, an application shall be made for an original certificate as if the application was being made for the first time.

KEY: automatic fire sprinklers
September 3, 2003

53-7-204